

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Federal Trade Commission

v.

Civil No. 04-cv-377-JD

SmartBot.Net, Inc., et al.

O R D E R

Counsel who has represented defendants SmartBot.Net, Inc., and Sanford Wallace moves for leave to withdraw. In support of the motion, counsel represents that he has experienced increasing difficulty in communicating with his clients and does not anticipate that communications will improve. Counsel represents that he notified SmartBot and Wallace of his intent to withdraw, and Wallace consented, but he did not provide his consent in writing. Although counsel sent a copy of the motion to withdraw to SmartBot and Wallace at their last known address, no further response has been received by the court. Therefore, the motion to withdraw filed by Ralph A. Jacobs, Esquire, is granted.

SmartBot shall have a notice of appearance filed in this court by an attorney on its behalf within twenty days of the date of this order, failing which, default will be entered against it.

Wallace shall have a notice of appearance filed in this court by an attorney on his behalf or shall file a notice of appearance pro se within twenty days of the date of this order,

failing which default will be entered against him.

Ralph A. Jacobs shall use his best efforts to notify SmartBot and Wallace of this order and shall file a certification with the court to that effect.

Conclusion

For the foregoing reasons, the motion to withdraw (document no. 69) is granted, subject to the requirement that Attorney Jacobs use his best efforts to notify his clients of this order and file a certification to that effect.

SO ORDERED.

  
Joseph A. DiClerico, Jr.  
United States District Judge

October 11, 2005

cc: Ralph A. Jacobs, Esquire  
Steven M. Notinger, Esquire  
W. Scott O'Connell, Esquire  
Charulata B. Pagar, Esquire  
Laura M. Sullivan, Esquire  
Martha Van Oot, Esquire